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By: **Chairman, Environmental Matters Committee (By Request -  
Departmental - Natural Resources)**

Introduced and read first time: January 21, 2004

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Department of Natural Resources - Vessel Fees - State Boat Act Fund**

3 FOR the purpose of altering certain fees for certain vessel manufacturers' and dealers'  
4 licenses; altering certain fees relating to the ownership and registration of  
5 certain vessels; altering the amount of a certain fee applicable to a Maryland use  
6 sticker; repealing a provision relating to certain service charges for certain  
7 returned checks; authorizing certain uses of certain funds; making certain  
8 technical corrections to the State Boat Act Fund; and generally relating to  
9 certain vessel fees and the State Boat Act Fund.

10 BY repealing and reenacting, with amendments,  
11 Article - Natural Resources  
12 Section 8-710(c)(1), 8-712(c)(1), 8-712.1(b), 8-714(c), 8-716(b), and 8-723  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume and 2003 Supplement)

15 BY repealing  
16 Article - Natural Resources  
17 Section 8-712(f)  
18 Annotated Code of Maryland  
19 (2000 Replacement Volume and 2003 Supplement)

20 BY repealing and reenacting, without amendments,  
21 Article - Natural Resources  
22 Section 8-712.1(a)  
23 Annotated Code of Maryland  
24 (2000 Replacement Volume and 2003 Supplement)

25 BY renumbering  
26 Article - Natural Resources  
27 Section 8-712(g) and (h), respectively  
28 to be Section 8-712(f) and (g), respectively

1 Annotated Code of Maryland  
2 (2000 Replacement Volume and 2003 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Natural Resources**

6 8-710.

7 (c) (1) Application for a manufacturer's or dealer's license is made on the  
8 form the Department prescribes and contains the name and address of the applicant.  
9 If the applicant is a partnership, the application shall include the name and address  
10 of each partner. If the applicant is a corporation, the application shall contain the  
11 names of the principal officers of the corporation, the state of incorporation, the  
12 addresses of every place where the business is conducted, the nature of the business,  
13 and any other information the Department requires. Every application shall be  
14 verified by oath or affirmation of the applicant if an individual, or by the partner or  
15 officer if the applicant is a partnership or corporation. A license fee fixed by the  
16 Department not to exceed [ \$25 ] \$50 shall accompany every application.

17 8-712.

18 (c) (1) Certificates of number issued under this section shall be valid for a  
19 period not to exceed 2 years. The owner of the vessel may apply every other year for  
20 renewal of the certificate. The renewed certificate shall expire on December 31 of the  
21 calendar year following the year the certificate is issued. The fee for a 2-year  
22 certificate for vessels [is \$24] **SHALL BE SET BY THE DEPARTMENT NOT TO EXCEED**  
23 \$40. Vessels 16 feet in length or less and equipped with a 7 1/2 horsepower motor or  
24 less are exempt from this fee. The fee to replace a lost, destroyed, or corrected  
25 certificate [is \$2] **SHALL BE SET BY THE DEPARTMENT NOT TO EXCEED \$10.** The  
26 Department shall record any transaction or transfer of numbered boats. The  
27 Department may record any amount of money owing on a vessel required to be  
28 numbered at the time of sale. The Department may not effect a transfer of ownership  
29 until the amount of money owed as shown on the records of the Department is fully  
30 paid or recorded on the new title. Any vessel that is required to be numbered under  
31 this section that is exempt prior to January 1, 1974 shall be exempt from payment of  
32 this title tax.

33 [(f) There is a \$5 service charge for every check returned unpaid.]

34 8-712.1.

35 (a) (1) An owner of a vessel that has a valid document issued by the United  
36 States Coast Guard and that is used principally on the waters of the State for  
37 pleasure shall apply to the Department for a Maryland use sticker.

1 (2) The Department shall issue a Maryland use sticker to any person  
2 who submits an application and pays a fee as required by subsection (b) of this  
3 section.

4 (3) The Maryland use sticker issued under this section shall be valid for  
5 a period not to exceed 2 years expiring on December 31 of the calendar year following  
6 the year the sticker is issued.

7 (b) The owner of the vessel shall:

8 (1) Submit an application to the Department on the form that the  
9 Department requires and be signed by every owner of the vessel; and

10 (2) Pay to the Department an application fee [of \$10] SET BY THE  
11 DEPARTMENT NOT TO EXCEED \$40 for the 2-year USE sticker.

12 8-714.

13 (c) Each application for the manufacturer's or dealer's certificates of number  
14 shall be on forms the Department approves and be accompanied by a fee [of \$24] SET  
15 BY THE DEPARTMENT NOT TO EXCEED \$40. The certificate of number issued under  
16 this section is valid for a period not to exceed 2 years and shall expire on December 31  
17 of the calendar year following the year the certificate is issued.

18 8-716.

19 (b) The Department shall charge a [2] \$10 fee to issue a certificate of title, a  
20 transfer of title, or a duplicate or corrected certificate of title.

21 8-723.

22 [(a) Any fee and other revenue the Department collects under authority of this  
23 subtitle, and any other available income, shall be deposited in the State Treasury and  
24 used exclusively for the administration, functions, and objectives of this subtitle.  
25 These funds are credited to the Department.

26 (b) The Department may use the funds credited to its accounts to purchase,  
27 rent, and operate any equipment necessary to accomplish the purposes of this  
28 subtitle, within budgetary limitations.

29 (c) Subject to available income, the Department may employ necessary  
30 personnel subject to the provisions of the State Personnel and Pensions Article.]

31 (A) IN THIS SECTION, "FUND" MEANS THE STATE BOAT ACT FUND.

32 (B) THERE IS A STATE BOAT ACT FUND IN THE DEPARTMENT.

33 (C) THE SECRETARY SHALL ADMINISTER THE FUND.

34 (D) (1) THE FUND IS A CONTINUING, NONLAPSING SPECIAL FUND THAT IS  
35 NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

1           (2)     THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND  
2 THE STATE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

3           (3)     THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME  
4 MANNER AS OTHER STATE FUNDS.

5     (E)     UNLESS OTHERWISE PROVIDED, THE FUND CONSISTS OF:

6           (1)     EXCEPT AS PROVIDED IN § 8-716(H) OF THIS SUBTITLE, MONEYS  
7 RECEIVED FROM ANY FEE AND OTHER REVENUE THE DEPARTMENT COLLECTS  
8 UNDER AUTHORITY OF THIS SUBTITLE;

9           (2)     ANY INVESTMENT EARNINGS GENERATED BY THE FUND;

10          (3)     MONEYS APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

11          (4)     ANY MONEYS RECEIVED AND ACCEPTED AS GIFTS, CONTRIBUTIONS,  
12 OR GRANTS.

13     (F)     THE DEPARTMENT SHALL USE THE FUND:

14           (1)     FOR THE ADMINISTRATION OF THIS SUBTITLE; AND

15           (2)     TO COVER THE COSTS OF FULFILLING THE DUTIES AND  
16 RESPONSIBILITIES OF THE DEPARTMENT UNDER THIS TITLE.

17     [(d)]   (G)     Within the limits of funds available, the Department may enter  
18 into any agreement with the federal government, any municipality or other political  
19 subdivision of the State, or any private agency to share the cost of any development,  
20 construction, or improvement of waterways or of facilities determined to have  
21 beneficial value to the boating public.

22     (H)     EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE  
23 WITH THE STATE BUDGET.

24     SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8-712(g) and  
25 (h), respectively, of Article - Natural Resources of the Annotated Code of Maryland be  
26 renumbered to be Section(s) 8-712(f) and (g), respectively.

27     SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
28 effect October 1, 2004.